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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

GILBERT and WAKARCHUK

Application No.: 10/820,536

Filed: April 7, 2004

For: NUCLEIC ACIDS ENCODING
SIALYLTRANSFERASES FROM C.
JEJUNI

Customer No.: 20350

Confirmation No. 8839

Examiner: Sheridan Swope

Technology Center/Art Unit: 1656

TERMINAL DISCLAIMER

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

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U.S. Patent No. 6,699,705, US Application Number 10/734,719 and the instant application were commonly owned at that time of invention of the subject matter claimed in U.S. Patent No. 6,699,705 and any patent granted on pending US Application Number 10/734,719. Petitioner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and U.S. Patent No. 6,699,705 or any patent granted on pending US Application Number 10/734,719 are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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Date: 28.11.06

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